

**AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]**

**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code section 162.16, the Department of Agriculture and Land Stewardship amends Chapter 67, “Animal Welfare,” Iowa Administrative Code.

The amendment updates provisions related to the Department’s ability to regulate federal animal facilities.

Pursuant to Iowa Code section 17A.4(3), the Department finds that notice and public participation are impracticable and would result in needless delays.

Pursuant to Iowa Code section 17A.5(2)“b”(2), the Department further finds that the normal effective date of this amendment, 35 days after publication, should be waived and the amendment made effective March 18, 2011, as the amendment confers a benefit upon the public.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code sections 162.10A, 162.10B, and 162.10C.

This amendment became effective March 18, 2011.

The following amendment is adopted.

Amend rule 21—67.8(162) as follows:

**21—67.8(162) Applicability to ~~federally licensed facilities~~ commercial establishments with federal permits.** ~~Other than~~ In addition to obtaining the certificate of registration permit from the secretary department, any dealer or commercial breeder, and any person who operates a commercial kennel or public auction establishment under a current and valid federal license permit shall not be subject to further regulation provide care ensuring adequate feed, water, and housing facilities and appropriate sanitary control, grooming practices and veterinary care. The department has the authority to inspect the premises and the required records.

This rule is intended to implement Iowa Code ~~subsection 162.11(2)~~ sections 162.10A, 162.10B and 162.10C.

[Filed Emergency 3/18/11, effective 3/18/11]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 4/6/11.